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COMMONWEALTH OF MASSACHUSETTS OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

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MEMORANDUM

TO: All Parties to D.T.E. 98-57-Phase III

FROM: Jesse Reyes, Hearing Officer
Paula Foley, Hearing Officer

RE: Schedule for Remaining Issues in D.T.E. 98-57-Phase III

DATE: April 19, 2001

Untitled

Attached please find a schedule for Department of Telecommunications and Energy ("Department") review of the remaining issues in the Phase III proceeding. The issues are as follows:

final collocation augmentation intervals and charges;
final rates for conditioning of CSA-compliant loops; and
review of Verizon's March 12, 2001 PARTS tariff filing.

As you may recall from the Department's Phase III Reconsideration Order, (1) the Department indicated its intention to investigate how long Verizon's back office personnel require to access and extract competitive local exchange carrier ("CLEC") requested information from Verizon's Loop Facility Assignment and Control System ("LFACS") database. (2) We noted in this Order that Verizon was working toward providing CLECs with direct access to LFACS. (3) Verizon's recent efforts in this area appear to have negated the need to pursue this investigation. As was mentioned by the Federal Communications Commission ("FCC") in its Order approving Verizon's application to offer long-distance telecommunications services in Massachusetts, as of today, Verizon offers CLECs an interim means of obtaining information stored in LFACS and that CLECs generally receive this information electronically within two hours. (4) The FCC describes Verizon's October 2001 plan for LFACS system enhancements as being "detailed, well-developed, subject to a prioritized time frame and firm completion date." (5) Given these developments, the Department does not believe that a further inquiry into LFACS is an efficient or productive use of resources. (6)

Further, Verizon's March 12 compliance filing did not include cost studies or rates for its proposed PARTS and plug and play tariff offerings. In its filing, Verizon stated it "has not developed any specific rates and charges for [its proposal] because the Company does not have the requisite network infrastructure and support systems in place or any experience with offering PARTS or the CLEC Line Card Option." (7) Although the Department expected Verizon to include such information with its filing, (8) we will not let Verizon's failure to do so delay our investigation of the terms and conditions of these offerings. Should the Department later determine that our record satisfies the applicable "necessary" and "impair" standard (see 47 C.F.R. § 51.317) for us to order either or both offering(s), we will direct Verizon to file proposed rates and accompanying cost studies. In the interim, as part of the proceeding, the Department would like parties to comment on possible rates which CLECs could use, if necessary, until permanent rates are in place.

If you have any questions, please contact Jesse Reyes at (617) 305-3735 or Paula Foley at (617) 305-3608. Thank you.

SCHEDULE FOR REMAINING ISSUES IN D.T.E. 98-57-PHASE III

April 23, 2001 Discovery begins on remaining issues, responses due within 7 days of
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receipt

May 8, 2001 Technical session

May 14, 2001 Verizon direct testimony due

May 21, 2001 Intervenor direct testimony due

May 31, 2001 Verizon rebuttal testimony due

June 14, 2001 Close of discovery

June 27-28, 2001 Evidentiary hearings

July 6, 2001 Responses to record requests due

June 12, 2001 Initial briefs due

July 23, 2001 Reply briefs due

1. D.T.E. 98-57-Phase III-A (January 8, 2001) ("Phase III Reconsideration Order").

2. Id. at 9.

3. Id. at 8.

4. Verizon Massachusetts Order, Memorandum and Opinion, FCC 01-130, CC Docket No. 01-9, at ¶ 61 (2001).

5. Id. at ¶ 63.

6. The Department notes that under the attached proposed schedule, an Order in this case would not be issued before August 2001.

7. Description of Verizon Massachusetts' Illustrative Tariff for Packet at the Remote Terminal Service (PARTS) with Option for CLEC Provided Line Cards, March 12, 2001.

2001, at 2.

8. In Verizon's request for at least six additional months to produce its filing, Verizon stated, among other things, "[t]he Company must also assess the potential demand for the service, prepare cost studies and establish appropriate prices." Verizon Massachusetts' Motion for Extension of Time, October 19, 2000, at 2 (emphasis added). The Department granted Verizon an additional two months to make its filing. Phase III Reconsideration Order at 45.